THE HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION No.6633 of 2007

Dated: 22.11.2007

Between:

G.Krishnamma.

…Petitioner.

and

The District Collector, Visakhapatnam District and others.

…Respondents.

THE HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION No.6633 of 2007

ORDER:

This Writ Petition is filed seeking a *Mandamus* declaring the action of the 3rd respondent in not passing orders on the report submitted by the 5th respondent in RC.No.337/06/LRDT, dated 16.06.2006, duly setting aside the orders of termination in RC.No.2980/A1/2005, dated 31.12.2005, passed by him, as illegal and arbitrary and for a consequential direction to the respondents to reinstate the petitioner as Anganwadi Worker, with all consequential benefits and arrears of salary.

It appears, the petitioner was appointed as Anganwadi Worker for Ontipaka Village of Hukumpet Mandal, Visakhapatnam District, in the year 1987, and since then she has been working as such. While so, the

3rd respondent passed the impugned order, dated 31.12.2005, terminating the services of the petitioner. The grounds for terminating the services seem to be that she was attending to Bank work in the working hours and that she has not supplied food properly. It is also

alleged by the villagers that she has not supplied the food daily. During inspection of the

3rd respondent, Project Officer, it was found that there was excess of Rice of 10 kgs; Dal 3 kgs., and Oil 4 kgs.

Though a counter-affidavit is filed by the respondents, denying the allegations made by the petitioner, there is no necessity to delve into the same.

The impugned order reveals that no notice of any kind was issued, or enquiry, as contemplated under any provision of law, has been conducted by the respondents, before terminating the services of the petitioner. Learned counsel for the petitioner states that the Revenue Divisional Officer has conducted enquiry and gave a report in favour of the petitioner. Even, that was not taken into consideration by the respondents.

In view of the above reasons, I am of the opinion that passing of the impugned order is in gross violation of the principles of natural justice. Therefore, the impugned order is liable to be set aside and it is accordingly set aside. It is directed that the respondents shall reinstate the petitioner forthwith, as Anganwadi Worker of Ontipaka Village of Hukumpet Mandal, Visakhapatnam District, with all consequential benefits.

The Writ Petition is accordingly disposed of. There shall be no order as to costs.

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C.V.RAMULU, J

Dated:22.11.2007

Note:
Furnish C.C. in ten days.
(B/o)
GJ